

JAMES S. THOMSON
California SBN 79658
Attorney and Counselor at Law
732 Addison Street, Suite A
Berkeley, California 94710
Telephone: (510) 525-9123
Facsimile: (510) 525-9124
Email: james@ycbtal.net

TIMOTHY J. FOLEY
California SBN 111558
Attorney at Law
1017 L Street, Number 348
Sacramento, California 95814
Telephone: (916) 599-3501
Email: tfoley9@earthlink.net

Attorneys for Defendant
JUSTIN GRAY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN GRAY,

Defendants.

Case No. 1:20-cr-00238-JLT-SKO

STIPULATION AND ORDER
REGARDING SEPTEMBER 4, 2024
MOTIONS HEARING

STIPULATION

1. Justin Gray filed a Motion For Discovery and Disclosure of Evidence. Doc #932 and #963. The government filed a responsive pleading. Doc #1030. Mr. Gray filed a reply. Doc #1055. The motion is set for a hearing on September 4, 2024 before this Court.

2. Mr. Gray also filed a Motion for Disclosure of Grand Jury Schedule, Instructions, and Materials and a Motion to Compel the Government to Designate Physical and Documentary Evidence to be Used at Trial. Doc #1122 and #1123. The government filed an opposition to

each motion. Doc #1198 and #1200. Mr. Gray filed a reply to each opposition. Doc #1248 and #1249. The motions are set for a hearing on September 4, 2024 before this Court.

3. The parties hereby stipulate to the following:

a. The Motion for Disclosure of Grand Jury Schedule, Instructions, and Materials (Doc #1122) should remain on calendar.

b. The Motion to Compel the Government to Designate Physical and Documentary Evidence to be Used at Trial (Doc #1123) is moot and may be withdrawn. The district court has issued a scheduling order that addresses the motion. Doc #1274.

c. The Motion for Discovery and Disclosure of Evidence is withdrawn without prejudice to refiling. The government has provided all but one item requested in the motion. The government is seeking production of the missing item. The parties agree that the hearing on the motion can be rescheduled should a dispute or disagreement arise regarding the last requested item.

IT IS SO STIPULATED.

DATED: August 29, 2024

/s/ James S. Thomson

/s/ Timothy J. Foley

JAMES J. THOMSON
TIMOTHY J. FOLEY
Attorneys for JUSTIN GRAY

DATED: August 29, 2024

/s/ Stephanie Stokman

STEPHANIE STOKMAN
Assistance United States Attorney

ORDER

Pursuant to the parties' stipulation,

1. The "Motion for Disclosure of Grand Jury Schedule, Instructions, and Materials," (Doc #1122), shall be heard on September 4, 2024, at 1:00 p.m.
2. The "Motion to Compel the Government to Designate Physical and Documentary Evidence to be Used at Trial," (Doc #1123), has been withdrawn as moot.

1 3. The “Motion for Discovery and Disclosure of Evidence,” (Doc #932) and the
2 supplemental motion (Doc. #963) have been withdrawn without prejudice.

3
4 IT IS SO ORDERED.

5 Dated: **August 30, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE